

THE ANSWER TO TOM-TIBLL-TROTH. 1642.







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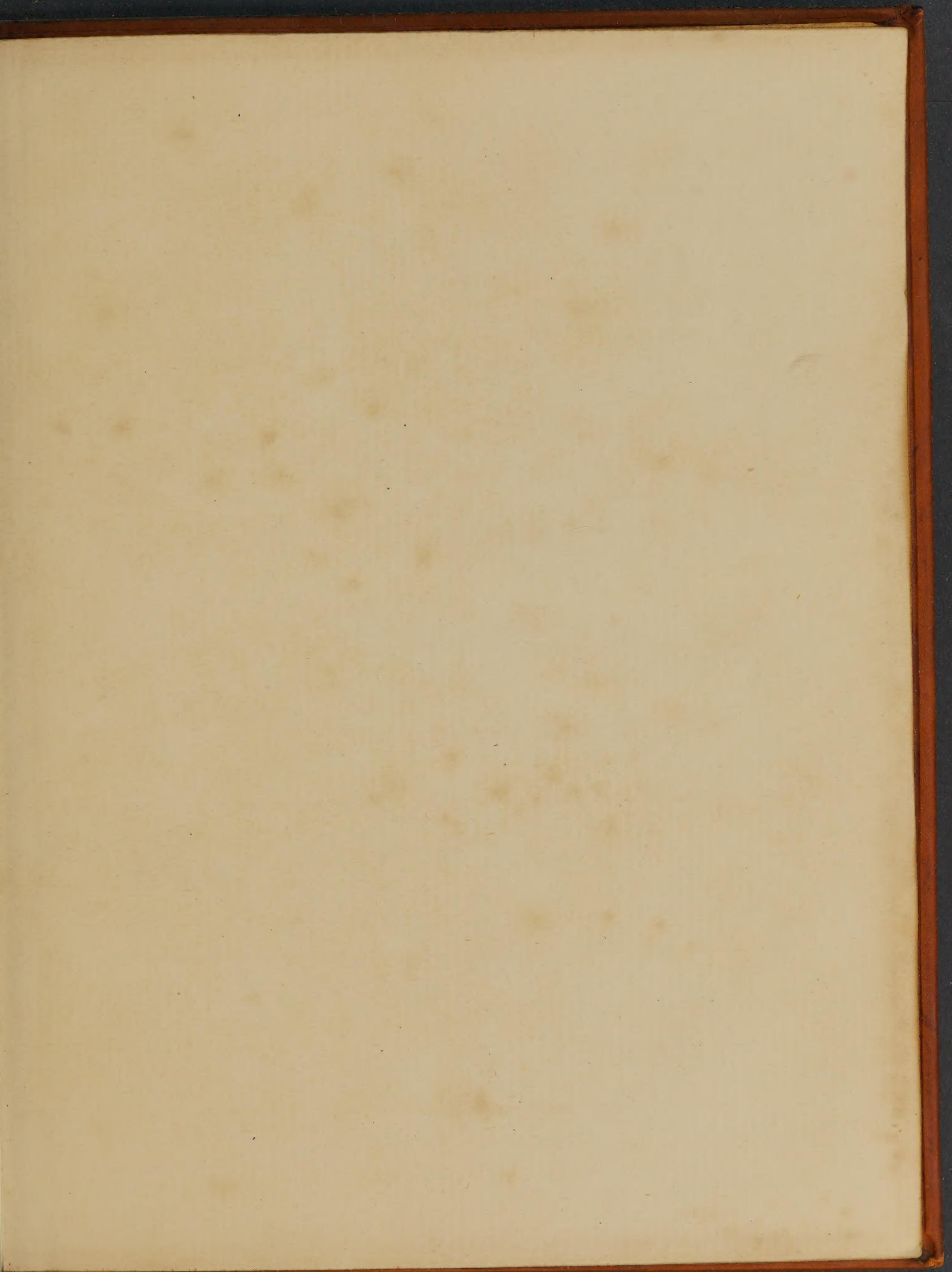
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Samuel J. Bell



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THE (2)
ANSWER
TO ^{pro rege}
Tom-Tell-Troth.
THE
Practise of *P R I N C E S* and the
L A M E N T A T I O N S of the
K I R K E:

Written By
The Lord *Baltismore*, late Secretary
of S T A T E.

*It is excellent for binding any King that he feel for not taking it into
to complete it for in such he palatins of the same in his dominions
and so ends rebelled against him for a sign to the Emperor of Germany*



London Printed 1642.

ANSWER

TO
Tom-Tell-Tell

THE
MACHINE OF P. B. W. C. W. F. and the
LAWYERS of the

KIRK E:

Written By
The Lord Buryman, late Secretary
of STATE.



London Printed 1842.



Most Gracious Prince.

I Know well what Reverence Subjects owe to their Sovereigne, and am not ignorant of the puissance and Majesty of a King of great Brittain, believe, I should not presume to write to so great a Monarch, if the Loyalty of a Subject, the honour of Your vertues and some particular obligations of my own, did not command me to neglect all other respects, and preferre Your safety, honour, and *bonum publicum*, before any dangers or blame, I foresee may incur, and the rather because I speake in your owne care only, without publishing or imparting to others that which I delivered unto Your Majesty, The cause is briefly thus.

Wandering abroad in the world, I was informed of certaine secret conference in *Holland*, and how to relieve the distressed citate of the Count *Palatine*, and I have seene diverse discourses out of *England*, of the necessity to maintaine the Ancient authority of *Parliaments*, how to assure Religion from oppression, and alteration, and how to reforme the government there both in Church, and Common-wealth, audacious arguments, and as insolently handled.

I meane not to trouble Your Highnesse with pedlors stuffe, and so stale wares, as *Vox populi and votiva Anglia*, but to inform You of some books (amongst many others) *T. T. Troth*, The practise of Princes, and the lamentation of the *Kirke*; which are the works of such *Boutefermes*, as are able to set the whole State on fire, imbroyle the Realm and aliene the hearts of people from their Prince, for these Maskers under the Visards of Religion, seeke to undermine Loyalty, and either to ingage you abroad in forraigne wars, or in danger Your person at home in Civill; And yet I write not to confute these learned scriblers (more worthy to be contemned then answered) but to advertise Your Highnesse of them, that by an *obsta principis*, you may upon such smoake prepare all things needfull to quench such a fire, when it shall flame, and first break out, which it may doe when you least looke for it; For by nature these spirits, are fiery hot spurs, and fitter for any thing, then that they most professe, *Piety and Patience*.

And that they may plainly appeare in their own likenesse, Your Highnesse may bee pleased to mark and consider how sawcily and presumptuously they contemne Monarches scorne and disgrace them, The Emperour *Tom-Tell-Troth* calls a quiet lump of Majesty; and in scorne of him, tells his Reader he cannot wrong a

Mouſe without the Spaniard which I think the K. of *Denmarke*. Will not believe, he mocks the K. of *France*, and tells him he is not old enough to be wiſe, and that he hearkneth to lying Prophets, and to be led by ſpirits of illuſion. The King of *Spaine* he calleth the Catholike uſurper, and the great ingroſſer of the *West-Indies*. And, which argueth a ſpirit of Frenzie, he ſpareth no King, for of King *James* himſelfe he delivereth ſuch a character as is both diſloyall, and moſt intollerable. And firſt touching his maintenance of Religion, he taxeth him moſt ſcandalouſly, that he is only head of the Church *Dormant*, the cure ſo many corruptions in it, that he hath more pulled downe the Church with his proceedings, then raiſed it up by his writings and whereas he calleth himſelfe *defender of the Faith*, His faithfull Subjects (ſaith he) have juſt cauſe to queſtion it, for the Papiſts were never better defended, as appeareth by the Kings private inſtruction to Iudges, and prohibition of Purlevants.

And for his inclination to peace (for which he was moſt commended) they wreſt it wholly to his diſhonour, and profeſſe they have too much cauſe to complaine of his unlimited peace, and ſuſpect that his peaceable diſpoſition hath not proceeded ſo much out of his Chriſtian pietie and juſtice, as out of meere impotencie, and baſeneſſe of mind.

Befides touching his honour and reputation, he flouts him, for, he ſaith, a number of defects cover the glory of his Raigne, and that the great ſtocke of Sovereigne reputation, which our late *Queene* left us, is quite baniſhed, and is to be reckoned amongſt other inventions we have loſt through the injury of his time, ſo as now great Brittain is leſſe in glory, ſtrength, and riches, then *England* was, whereby our adverſe parties have the triumph of the time, and hee alledge the reaſons, becauſe when *Gundamore* taught to juggle, who knew the Kings ſecrets, before moſt of His Councell, ſo as diſcontent runs with a ſeditious voyce over the kingdome.

And in contempt of his choyce of a Treasuſer, they alledge that the Merchants feared the Court would pull down the Exchange, becauſe one of their occupation was made Treasuſer, ſo as all things muſt be bought and ſold.

But above all other ſcandalous defamations, the deſcription they make of a proteſtant King, *Page 25. 26, 27.* is moſt transcendent and traiterous, let him (ſaith he) excell in miſchiefe, let him act *Nero, Phalaris, &c.* he ſhall not need to feare nor weare a private Coate, for he may have Lords temporall for his Eunuches, ſpirits for his mutes, and whom hee will for his Incubus, and kiſſe his Minions without ſhame.

Behold a Calvinist, *in parvis naturalibus*, perfectly factious, and under the Cloake of zeale, *Carnifex, regum*, peruſe *Mariana*, and all the works of the Jeſuites, looke as curiouſly into their acts and proceedings as they were examined at *Paris*, and you ſhall not find ſuch paradoxes of miſchiefe, and ſuch prophane calumnias of Princes, which may parallell and match theſe, yet I can overmatch them or equall them, for they murmure as much at Your Maſtieſties own proceedings, neither doth your Monarchie or mild temper priviledge or exempt you from their tongue-shot, and the poyſon of *Aspes* in their lips. The Author of the *Præſiſe*.

Life of Princes printed 1630. in *England* pag. 11. saith that the people when King *James* died, seeing our King that now is, making great preparations, and for ought we knew with great sinceritie. Yet by the practise of the Duke and his faction retaining all his fathers Counsell, which for the most part were *Hispanioliz'd*, *Frenchified*, *Romanized*, or *Neutralized*, and suffering some worse, both spirituall and temporall to be added unto them, all those forces were soone brought to nought. Things are grown to a great deale worse passe then before, and to the great greif of goodnesse and good men, without Gods speciall mercy remedyleffe.

This is the picture and portraiture they make of your Government, and they dare censure their Sovereign, and like mad-men they also rave against your Councell pag. 13. what a miserable thing is it to see wicked Counsellors get such a hand over the King, that he is wholly ruled by them, neither dares he favour a good man nor his cause further then they admit.

Thus they currishthe barke against Kings and Councells, and spitt upon the Crown like Friends of *Democracies*, of confusion and irregularitie: who, after the example of their Master *Bezas Resveille-matin*, do here as maliciously defame your Father, as he did there your Majesties Grandmother.

Yet let us proceed, and dive into the bottome, and discover what they ayme at; it is certaine they intend first to reforme the State, and to suppress Episcopall jurisdiction, and casheere so many places of Baronies in the upper house, and yet these men pretend to be friends and Patrons of Parliaments and order: But by the words of the Practise of Princes I will make this appeare pag. 17. Ministers, saith he, are Christs Embassadours; and therefore ought to have free libertie to speake in the word of the Lord, to Kings and Statesmen (in good sort) for things appertaining to the furtherance of Christs Kingdom: and against such practises as hinder the same, &c till they have that libertie, Princes cannot say rightly that Christ hath his Embassadours or Kingdom received in their Courts: which some undertake to prove cannot be till the Hierarchie and Dominion of the Lord Bishops (never by Christ ordained but forbidden) be overthrown, as dangerous to Protestant Princes and States, and so he stumbleth on a *Malo in peius*. For first they would overthrow the Bishops and Councellors, so as pag. 18. he directly saith: Out of all which he that will, may see, that the losses, dishonours, and troubles that have fallen to this Land, and indeed to our Religion, and brethren, in the *Palatinate*, *Germany*, and *France*, have cheifly sprang from two fountaines, First, a corrupt Councell and Clergie in *England*, then from a vaine policie of suppressing such Preachers and Parliament men as sought to discover the mischeite of treacherie, I need not explaine their words, being plaine enough, nor seek to discover their intentions which the words reveale. And surely the Bishops wer blinded if they should expect any favour or good allowance if God should so punish this Realme that your Majestie should dye without issue (which God forbid:) for the Successor, these men desire, will deale with them as he did with the *Lutherans* at *Prague*, and according to the articles 1602. at *Heidlebergh*: *Totus Lutheranismus & eorum liberi de medio tollantur*: Much more will he abolish *Rochets* and their titles, for their Lands sake.

Notwithstanding this is not all, for though they seeme to tax Bishops and Councillors, yet they glance (so farre as they dare) at your Majestie, and though they shoot at them they ayme at your perfidioullie: For marke their words and ponder them well, pag. 11. men that take Gods word for their guide, sc. that all the servants of that Prince are wicked that hearken to lyes, they say that things can never go well with the Religion and State of *England*, till the Councell, which hath been so Dukeyfied, be in a manner wholly changed, and these men therefore count them fooles, who think not, if God should take away the King issuelesse, and that the injured K. and Queen of *Bohemia* should come to the Crown things must needs mend, which cannot except the Councell were also changed, and made examples to keep others from the like treacherie.

So these men (that take Gods word for their guide) think if God take away the King issuelesse, things must needs mend. Surelie it is a speech untymelic and disloyall, and uttered unseasonably, the Queen being with Child, and if not, yet both of them being young and hopefull, that speech did not become a good subject.

But could the State no otherwise mend except the King and Queen of *Bohemia* should beare and weare the Crown of *England* It seemeth so by these false Prophets: For the Councillors must be made examples, and punished for treacherie, and the present King dares not do any thing but what they like, and therefore the *Scottish* Minister did of late speake in *Knoxes* tone, and *Perems*, That Princes may be deposed *quando gravant conscientias subditorum*: And so this hot brayned Minister pag. 21. is become a Prophet, for he is perswaded (as he saith) that who so live but a few yeares shall see a greater rott of Nobility and *Prince-like* *Clergie* then ever was seen in this Land; which he gathereth from the never fayling word and truth of God (as his words import) So then it seemeth, that great rott must be when the King dyeth issuelesse (and so they divine of your Majesties death) and that is the day of the Lord they pray for. They look for the rising of another Sunne (which is treason to do) before this be sett which now illuminateth *England*; and God grant it may long and gloriously shine there.

I think surelie these men *aliquid monstri alunt*, for they trust too much to faction and to a strong side, for as *T.T.T.* said, in *Tavernsten* healthes for one are drank to you forraigne Children more then to you, and many weare Ribbands and favours as marks of their homage and loyalty to the *Messias* they look for. I seeke not to prejudicate the Innocent, but to advise your Majestie to use all due circumspection, and be well armed against all treacherous plotts and projects: For no tone sounds so ill in Kings eares as aspirations And I know well that in *Queen Elizabeths* time, the Oath of association was publickly tendred to all Subjects for a lesse dangerous cause, and against them that were in prison and miserie, who had no such Tutors and School-masters as the *Hollanders* are, Such quick-silver Ministers as the brood of the *Palatinate*, we are not now troubled so much with *Mar-Prelats* as with *Mar-Kings* (which is an accident unseparable from *Calvinisme*) which never got sure footing in any Country, but desolation followed.

Your Majestie may be pleased to call to mynd, and set before your Eyes how miserably your Grandfather was made away of the disciples of *Knox*, and how your Grand-

Grandmother, who had as good right and footing in *Scotland*, as you have in *England*, was deposed by the same spirits.

Remember also in what danger King *Francis* the second of *France* did stand by the conspiracie of *Amboys*; and his brother *Charles* at *Meaux* by those (*Calvinists*, *Pracones barbarum*).

I speake nothing of *Swedland*, nor of the Count of *East-Freizeland*, whom not a *seditione*, *ferè tota diditione* pepalissent as *Heisekenmus*, a learned *Lutheran* writeth, and I will conclude all with the reasons of these Calamities and tempests raised by the *Consistorians*, which *Sebastian Castalio* giveth, *l. de predestinati*. (a man once nearly allyed to *Calvin* in divers opinions) who maketh a difference between the true God and the God of *Calvin*. He teacheth us that *Calvins* God ingendreth Children without mercie, proud, insolent, and bloudie, and that it cannot be otherwise he sheweth causes; For that *Calvins* God is the Author of Sinne, (not by permission only, but *efficaciter*) and he predestinated the greatest part of the world not only to damnation, but also to the cause of damnation, and suggesteth to men wicked affections: Wherefore if it be true that of *malus corvus*, *malum ovum*, of evill causes, evill effects, of an evill spirit, evill motions proceed. I cannot marvayle of the tumults of *Bohemia*, of the many battayles and rebellions in *France*, and the horrible treasons in *Scotland*, and I may well doubt, that the like (which hath been in other places) may fall out in *England*, knowing by whose doctrines they were all guided and bred, by what furies they were inspired, and what God they served and adored, who was the Authour of sinne, the badge of *Calvinisme*.

But to leave the persons and their errors, and come nearer to the matter, let us enquire what remedies these zealous brethren prescribe to cure the wounds of the State, and salve the Kings honour: You have two occasions (saith *Tom-tell-troth*) to have the honour of your *Mayden Armes* (for which the old Martyrs would have suffered death) first to reestablish your own Children in *Germany*, and next to preserve Gods Children in *France*. And there is no way to vindicate your honour but by fighting with him that hath Cozened you, and by driving the Enemy out of their Country: For men hardly think you are their father, for the lamentable estate you suffer them to runn into.

How violent and ignorant are these discontented Empericks, who appoint remedies worse then the disease? For no wise man would counsell you to hazard all by taking armes against the two greatest Monarches in Christendom, against whom you have no just quarrell of your own part, or for the Common-wealth. And yet I know that *Anno 1623*. a pamphlet was published without the Authors name, intituled, *Certaine reasons why the King of England should give over all treaties, and enter into war with Spaine*: and that for two causes: the one for the prescription of the *Palatin*, which he calls the head of all these evils. And the other for that the *Spainards* possesse by force the patrimony of the Infants, and eject the *Palatin* and his wife out of the same (contrary to hopes and promises made for their restitution) and therefore there is just cause why the Father should vindicate the honour of his Sonne. So here are two motives to perswade the King to breake off all amity and further negotiation with *Spaine* only, and in post to proclaime war against

gainst them. The prescription of the *Palsgrave*, and the invading, and detaining of his Estate. War and hostility are the meanes prescribed for this restitution, and the finall end of all is, to breake off all treaties, all entercourse and correspondencie with *Spaine*.

A Colerick course certainly, whereof King *James* approved not, and although they seeme to vilifie and abuse his Judgement, yet his speech uttered in Parliament was more solid and provident then the precipitation of these projectors. For said he, in matters of this waight, I must first consider how this course can agree with my conscience, my honour, and the justnesse of the cause; And next, how I shall be enabled to performe the same: a breif speech, sound, and methodicall: For, surely, if the title and Crown of *Bohemia* was unlawfully usurped by the *Palsgrave* (which his wisest and greatest Friends sought ever rather to excuse, then defend) then his prescription was well grounded upon *lex Talionis, æquum & bonum*, and reason of State. And so they would perswade you to undertake the patronage of a quarrell unjust and dishonourable, which would lye as a heaveie and sinfull burthen upon the conscience of a pious and just Prince.

Therefore I take this to be the foundation of all these controversies, whether the *Palsgrave* were lawfully and justly elected King of *Bohemia*: For if he were not, you altogether loose, and not vindicate your honour to fight for him, being not a King injured, but an injuror: For no war can be justifiable, but that which is begun upon just and urgent occasions, wherein Justice, prudence, honour and safety shall beare the standard of *England*. Neither were it convenient that *England*, which hath so long triumphed in her peace and prosperitie, should now thus rashlie be drawn fatally to maintaine the errors of ambition, and a quarrell unnecessary for you, not properly pertaining to *England*, nor to your Majestie, but by consequence and participation.

CHAP. 2. That Ferdinand was lawfully Elected King of Bohemia.

And although, I doubt not but that your Majesty hath read some partiall breviat of the cause and state of this businesse, yet I will be bold to lay open the truth of it breifly, without glosse or partialitie, or respect to either partie, fearing neither, nor having any other end, but that your Highnesse may not erre with the Multitude by misinformation.

Ferdinand Sonne of Archduke *Charles*, and nephew to the Emperour, was elected King of *Bohemia* An. 1617. by an Assembly of the States of *Prague*, upon the Emperours summons; when *Mathias* declared that seeing his glasse was almost run, to leave the Kingdom settled in peace, and to prevent all Civill dissention, he requested that after his decease, they would agree to accept of *Ferdinand* for his successor (whom for his vertue and piety he had adopted his Sonne) provided that during his life, without his speciall commission, *Ferdinand* should not intrude himself into the government of his realme, and should also take his oath to ratifie and confirme the priviledges granted to the Country.

Here

Hereupon the 7. of *June* the three States of *Bohemia* gave this answer to the Emperours proposition; That for his request, and for the fatherly affection that he did ever beare to that kingdom, they consented and agreed to accept *Ferdinand* for their King, and thereupon they assigned the 24. of *Julie* for the day of his Coronation at *Prague*, upon which day this decree was solemnly read, and the States assembled being asked (according to Custom) by the cheif Burgrave, if any did dislike, or could shew cause to contradict this Free Election, they all freely and orderly with a generall applause approved it, and upon that so good warrant the Burgrave proclaimed *Ferdinand* King of *Bohemia*, and offered unto him (as their Custom was) a certaine contribution of his inauguration. So here is an Election made, *Frequenti Senatu, & plenâ curiâ*, the Emperours assent (who was King in *Esse*) a consent of the States in a generall assembly, and *modo & formâ* according to Law and Custom, And *Ferdinand* himself was present, and brought upon the stage to take the Oath usually ministred to his predecessors, and to conclude the whole Country acknowledged his regality by doing really the homage unto him, So as no defect was in the proceeding, no Competitor, no barre or opposition to his claime, neither was there any packing or partiality in the Election, and by this solemnity he was created actually King, and albeit his government was not to commence, untill after the death of *Mathias*, yet the Royalty he had in *Esse*, their Oathes at his Coronation, their homages, and their contribution was a full confirmation of his title in *presenti*, (and the rather because the States themselves did him all the honour appertaining to their King) so he was more then an heir apparant, for they could not undo that which they had done, and dispence with their Oathes, no more then *Henry* the second of *England* could unKing *Henry* his Sonne (though he take Armes against him) because he was created King by order and Authoritie.

Besides, after this Election, by the Emperours investiture, being possessed of the Electorate of *Bohemia*, it stood as reall livery and seisin of his right, honour, and jurisdiction, which no man could avoid or defeate, and furthermore, there is extant one Letter from the States, and two from the Directors themselves, written in the life time of *Mathias*: which were sent to King *Ferdinand*, wherein they all give him the title of King of *Hungaria* and *Bohemia*, and call him their good Lord and Prince, and moreover they all promised to provide him a Crown fitt for their King and Lord, So soone as God should take to his mercy the Emperour *Mathias*, Therefore if the State only had absolute power to Elect their King: then was *Ferdinand*, orderly, generally, and freely Elected: And if they had not such power, how had they power afterwards to create another? how could the power serve the turne for *Frederick*, and be defective for *Ferdinand*?

CHAP. 3. That the Crown of *Bohemia* is not only Elective.

But because *Camerarius* and *Plessen* (the unhappy Advocats of an evill cause) labour to defend a paradox, that the Kings of *Bohemia* are only Elective (which if it were true doth not prejudice *Ferdinand* whom the State have Elected:)

B

and

and the *Palatines* own Declaration printed 1619. *Cur Regni Bohemia Regimen in se suscepit* why he usurped the title of King of *Bohemia*, alleadgeth that *Ferdinand*, *leges regni fundamentales everit, & privilegia Provinciarum, quas sibi subjungere voluit velut hereditarias, cum libera erant Electiones.*

The which assertion was very frivolous, seeing *Ferdinand* holds *Bohemia* by Election as well as by inheritance: for it is evident by all Laws, Customes, records and histories of that Country, that since *Bohemia* was a Kingdom, the Crown and Electorate have passed, not by Election only, but also by Inheritance and succession and all Antiquaries have derived and drawn from *Vratislavius primus Anno 907* by eight descents the Inheritance of that Realme, succeeding in one line and familie, and therefore as we deny not a forme of Election, So cannot *Cambrarius* deny the verity of succession.

Againe when *Vratislavius* the second was created King by *Henry* the fourth Emperour, the Dominion continued still in the same race and blood for many descents, *jure successionis & electionis*. And when *Phillip* the Emperour created *Priemislans Otthocarus* King of *Bohemia* and Crowned him at *Mentz* An. 1197. (when for a time the title of a King had been suspended) The Crown and Scepter continually remained as incorporated into that stock and familie for many yeares after. Moreover *Carolus* the fourth was both Emperour and King of *Bohemia*, and from him and his issue the Crown descended to *Vladislavs*, since whose time the kingdom hath ever remained by succession in that familie without discontinuance or interruption, except when *Podibradius* a *Hussite*, by practise, sedition and forcible entrie usurped the Crown.

But to omitt other reasons. Women and daughters have often inherited the Crown; and is it not probable that they had it by Election only.

But admitt *Bohemia* ever heretofore had been Elective, yet are the States of that Country restrained by Law never to Elect a stranger King, but when there is none of the blood Royall left in remainder.

And that I prove by an authentick record, the Decree of *Carolus* the fourth, wherein it is said, *Electionem Regis Bohemia, in casu & eventu duntaxat quibus de Genealogia, progenia aut prosapia regali Bohemia Masculus vel Femella superstes legitimus nullus fuerit oriundus (quod Deus avertat) vel per quemcunq; alium modum vacare contigerit dictum Regnum, ad Prelatos, Duces, Principes, & Barones, Nobiles & Communitatem dicti Regni & pertinentiarum ejusdem, decernimus rite & legitime in perpetuum pertinere.* So here is granted a power of Election, but limited by a *duntaxat*, to make that free Election, only when all the branches of the Tree are fallen, and none remaineth of the Stock. And let no man object, that ancient Customes cannot be altered by Imperiall constitutions, for here the Emperour interpreteth the priviledges of Former Emperours, and declareth in what sence they are given: *Exponit, non abrogat consuetudinem.* Besides (70 *Ann. Bulla* the fundamentall Law of the Empire) it is enacted, that all the Electorships should descend by inheritance (wherein *Bohemia* was comprehended) and that for want of heires *Bohemia* should not escheate to the Empire, as other Seignories of the Electors did, but that the States of the kingdom should make choice of their King.

And

And because practise and Cusome are the best Interpreters of Laws, I will shew an example.

Sigismund the Emperour. (Grandfather of *Carolus* the fourth) being King of *Hungaria* and *Bohemia*, called an Assembly of both States of both kingdomes at *Snoyma* a towne in *Moravia*, where he put in his Sonnes claime, and required them, for the better setting of the Government, to accept and acknowledge for his Successor *Albert* of *Austria* (who had married *Elizabeth* his only daughter, and heir of both Realms) so to establish that by consent which was his right by Law; and why they should do it he gave them this reason, because by the marriage of *Mary*, the undoubted heir, he himself possessed *Hungaria* in her right, and his Grandfather *John* inherited the Crown of *Bohemia* in his wives right, both which are confirmed by the testimony of *Dubravius* l. 27. *Histor. Bohemia*, and by *Francisc. Rodericus*, com. 4.

Besides *Dubravius* l. 28. relateth that *Prasco* (Embassadour from the States of *Bohemia* to *Frederick* the Emperour perswaded him, *ut sumeret sibi regni gubernacula* and make himself King, in respect he was the principall of that Stock, and roote of the Tree of *Austria*, *id quod ei licebat*, said he, *ex antiquo sedere inter Bohemos & Austrios iusto, de successione Regni*, the which pact was called *Pactio Iglaviensis*, made between *Rodolphus primus*, and *Primislaus*, the summe whereof was this: *Ut nullo relicto heredem Regni Bohemia, ad Rodolphi posteritatem Regnum deferatur*. So here is an argument cited to authorise the same, which had been an Idle part, and a frivolous argument if no other Prince should weare the Crown but one Elected by the States only, without regard of his blood.

And although to dazell the eyes of men, some have objected, that *Ferdinand* the first did sollicite the States in his life time to Elect his Sonne *Maximilian*, and *Maximilian* used the like mediation in the behalf of *Rodolphus* his Sonne, which proveth the States had power to chuse their King.

I answer. The times were then troublesome, and the Country dangerously infected, and so as it was probable that factions in Religion would breed factions in the State: And therefore, seeing *Abundans cautela non nocet*, to prevent all sinister practises, they provided wisely to settle their Successor in assurance and security with advice and consent of the kingdom; the which they did in their life time by way of request, because the States of *Bohemia* were not yet bound to settle the heires: for *hereditas non est viventis sed defuncti*: heires are ever in expectation till their Parents dye, and when they take possession they cease to be heires and become owners.

Besides, it is no good argument, because the consent of the States were demanded, therefore succession hath no place: For all well governed kingdoms, successive, have also a shew and a forme of Election. In *England* King *Henry* the second requested the consent of the Parliament, that in his life time he might see his Sonne crowned King, so did King *Edward* the third sollicite for *Rich. 2.* and when *Rich. 3.* was Elected King, the words of the act are, we do chuse you our Sovereign Lord and King, *ex Rotul. Parl. 1. R. 3.* therefore it is plaine that Election doth not exclude succession, but succession guideth the Election.

For in the same record this is expressly added; it is agreed by the three estates that *K. Rich. 3.* is lawfull King of *England* by inheritance, and due election. So as inheritance and election are not two things incompatible, especially in those kingdoms, where Custom hath given a Royall prerogative to the blood of a Familie.

But yet I will make the matter clearer. *Anno 1547.* it was enacted in *Bohemia* (as by the record appeareth) that according to the Edict of *Carolus quartus*, and the order of *Uladiſlaus*, and to the *litera reversales* of *Ferdinand 1.* the States should ever and only proceed, and no otherwise. And the States of *Bohemia* cannot now claime any such Laws, Liberties, or Customs; to eject a King out of the right line and familie, wherein the Crown hath been so long invested, specially till the issue be extinct: For, by the words of the Law, *non aliter eis competeret libera Electio*: and whereas they tell a tale of a Custom in *Bohemia* to chuse strangers, and the Sonnes of the King of *Poland* (eminent for their vertue) they may aswell tell a tale of *Amadis de Gaule*. And for that which *Aeneas Silvius* reporteth of *Carolus* the seventh of *France*, *Sternbergius* was the *primus Motor* of that to the King of *France*, to avoid a mischeif by an hereticall intruder, who desired that a Catholique Prince might prevent *George Podibradus* an *Hussite*, who (as he did foresee) was like by violence to usurpe the Crown, as appeareth by *Dubravius* l. 30.

And although I confesse that the Champions of this cause, artificially lay their colours, yet can they not make black white, but as *Juglers* only make it seeme so to others. For this my last argument is unanswerable.

The Princes Electors, when the States of *Bohemia* laboured at *Frankford* that they would not accept *Ferdinand* as an Elector, but suspend his voice, *quod nunquam plenarium adeptus est Imperium*, they rejected them and their motions; and made this answer to the *Bohemians*; That *ex cap. 7. Aq. Bulla*, only he who was the lawfull Successor of *Mathias* ought to be admitted to the Election as King of *Bohemia*: And they so judged it, first because the States of *Bohemia* the seventh of *June 1617.* Solemnly accepted *Ferdinand* for their King, and confirmed their act by Oath: therefore no question ought to be made of his claime and title. Secondly they alleadged that *Jurisdictio Electoralis nulli competit nisi Regi Bohemiae jure hereditario, & nemo alius nisi Rex ad Electionem unquam erat vocatus*. Thirdly, they said King *Ferdinand* had lawfully received of the Emperour *Mathias* his Investiture, the Office of Electorate, and the cheif Cup-bearer, and was put in possession thereof, and further they added, that *Maximilian* the second (*Anno 1562.*) was summoned by the name of King of *Bohemia*, and Elector, to be at *Frankford* to choole the King of the *Romanes*, and this being in his Fathers life time he signed the Decree, (though he had no other Election, Ceremony, or possession then *Ferdinand* had) and the like they avouched of *Rodolphus*.

Therefore seeing the Noblest Iudges, (the Colledge of Electors) have adjudged this controversie, by reason, custome, precedents, and law, who will not rather obey leered authority, then be misled by wrangling subtilty.

As for *Moravia*, *Silesia*, and *Lusatia*, (which *Maximilian* the second did hold *ex testamento patris*) they were *Seignories* descended to *K. Ferdinand* the first by inheritance, and though annexed to *Bohemia*, yet as properly appertenant to the King

King, and not to the kingdome of *Bohemia*.

Now, for as much as upon this *Axis* (vizt. the supposed nullity of *Ferdinands* Election, and the invalidity of his Title in succession) all the motions and commotions of *Bohemia* were carryed: and seeing the weakenesse of that *Axis* is apparent, that it cannot beare the burthen layd upon it, they have more cause to lament their error then to defend it.

CHAP. 4. For the title of the Palgrave.

IT remaineth now to demurre upon the title of the Palatine, *Quo titulo ingressus est*. Wherein I must first humbly pray your Majesty that I may speake the truth freely, and not abuse you or flatter them.

He only and barely, upon no other title then a supposed election by *Count Thurn*, some of the States, and the directors, by whom the Crown was offered unto him, and he accepted it. *Panam promovere poscit*.

How can this action bee justified? judge you, how can a second election and contract prejudice a precontract solemnly made and ratified with all ceremonies? And which is no small disadvantage, the twentieth of *March*, *Matthias* being dead, 1619. the 25. of *August* King *Ferdinand* was chosen *Rex Romanorum* and Emperour: And shortly after a few factious subjects conspiring together made the *Count Palatine* their King, whom they Crowned the fourth of *November* after: whose Coronation was no more than *Raptus Helena*, and his agents *Proci aliena sponse*.

Here is first to bee considered what pretences could be alleadged to dispossesse *Ferdinand*, and divorce him and the *Realine*: secondly, who they were, and by what authority they did elect *Frederick*.

The *Count Palatine* in his Declaration printed 1619. *Cur Regni Bohemie Regimen in se suscepit*, alleadgeth certaine cavills, and unmateriall pretences for the same.

First, that *Leges Regni fundamentales evertit, & privilegia provinciarum quas sibi subjungere voluit, cum libere erant electionis*, his supposed oppression of their liberties is a scarre-Crow, a shew without substance, and already confuted and rejected.

Therefore two other hainous crimes, and crying sinnes they charge him with, for which he ought to forfeit his claime to the Crowne. Tyranny and depopulation. Tyranny in tormenting their consciences; Depopulations by spoiling the Country, with hostility contrary to his oath.

For the first they aggravate it, *Aucta in immensum religionis gravamina*, and for the second, *Vi armorum hostiliter in eos saevitum, magna crudelitate, &c.*

Therefore to excuse their insurrections, (that they might not be named rebellion) hee concludeth, *Quis miratur si, quod in desperatis morbis fieri solet, extremis afflicta provincia ad extrema remedia descenderunt*.

These are fictions: for he can produce no greivance in the State which was not

bredd by their own impatience and abundance of distemper'd humours. They could never produce any mandate from *K. Ferdinand*, or nominate any who were persecuted upon that mandate; and the Law requireth, *in rebus prejudicii plenis, plenas exigi probationes*: did ever *Ferdinand* deny tolleration of those of the Confession of *Augsburgh*, or did he ever revoke, or disanull the grants of *Rodolphus* or *Mathias*. I beseech your Majestie heare an Emperour wrongfully accused plead his own innocencie, *An. 1620. Febr. 17.* in his *Edictalis Cassatio*. *Nos*, saith he, *post omnium Regni privilegiorum confirmationem, quod promiserimus, infra quatuor hebdomadas ad manus supremi Burgravij missuros pr misimus. At subditi nostri, benevolam nostram cblationem ne responso dignati sunt. Tamen dicta confirmationis diploma, juxta remedium R. Mathie tot verbis & clausulis ad Burgravium transmisimus, idemq; etiam Baronibus, Equitibus, & Civibus Praga congregatis.* But how did they welcome this faire offer of peace and mercie. The Emperour affirmeth upon his honour, *Non accep arunt diploma, inducias & armorum suspensati nem spreverunt, literas ejus repudi arunt*: that is; They by contempt and defiance provoked him to use these extremities, whereof they complaine being vanquished.

But to make a closer fight, the Argument which the Palatine useth for the defence of the *Bohemians* will appeare in the right shape of vanitie, if I may weigh it with *English* waights, and change the name; and if I may (to make the Judges the better to apprehend) thus breiflie draw it into forme.

The poore afflicted *Catholiques* of *England* have their greivances dayly multiplied, their estates spoiled, their persons disgraced &c. Therefore being driven to such extremities, they may justlie and lawfullie take Armes in defence of their Religion and Libertie; how will the Judges like this reason? Surelie preferre me to *Newgate* worthilie: and yet this is the substance of their Argument, one *Iohn of Stile*, is named for the *Direct rs*.

The antecedent of this Argument is comprehended in his own words; *Aucta in immensam Religionis gravamina*. Now if this reason be good to move compassion to the *Bohemians*; to it may for the *English*. If you object, that the Lawes of *England* punish *Catholiques*, and abolish the exercise of their Religion; so likewise doth the Law of the *Empire* and *Bohemia* condemne the *Calvinists*. If you say, for the peace of the Realme, the King cannot tolerate *Catholiques*, experience sheweth the like for the *Calvinists* (whom the *Empire* accuseth of heresie, schisme, and innovation) which last, cannot justlie be imputed to the *Catholiques*.

And touching the consequent, it is the Palatines own conclusion viz: *Quis miratur, si quod in desperatis morbis fieri solet, ad extrema quoque remedia ascenderant*: So if the *Catholiques* should follow the *Palsgraves* opinion and advice, *in desperatis morbis*; that is in violent persecution; they may lawfullie take Armes and defend themselves; but they are otherwile Catechized, and better instructed in the School of true patience and humilitie, and practise, doctrine, and conscience to draw in the Yoake of our *Saviour*.

They object also, that the Emperours Councell prohibited the exercise of their Religion, and pulled down two Churches lately edified for that use; one in the Town of *Brunaw* (where, in despite of the Abbott cheif Lord of the Soyle, they presumed

presumed to erect a Temple) and the other at *Clostergrap*, belonging to the Archbishop of *Prague*.

The Emperour *Mathias*, upon petition delivered unto him, *An 1616*. and having heard the cause debated, Judicially decreed, that they should be demolished, because the building of them was against Law, and the contempt of the cheif Lords unto whom both the jurisdiction and propriety of the Soyle appertained (as the Emperour signified to *Thurn*) and I doubt not but my Lord of *Cant.* would have done the like, had any such attempt been made at *Croydon* by the *Catholiques* of *Surrey*.

But what is this to *Ferdinand*? who can justlie charge him with his predecessors actions? *Actio moritur cum personâ.*

But *Ferdinand* shewed too much severity against those reformers in *Moravia*.

Surelie, he did nothing but by the direction of the Emperour, whom it was requisite he should obey and assist (being chosen his successor) both to support his Majesties authority, and to pacifie the troubles of those Provinces, so as executing his Commission it was not his act but the Emperours.

But marke their iniquity; they set all the Realme on fire, and cry out against them that seek to quench it, they gave the first blows, and when they are beaten for it they complaine they are oppressed, and hyperbolically exclaime, *in eos sevitum est tantâ crudelitate.*

Against King *Mathias* was their first insurrection, and after his death, the *Directors* took Armes to barr *Ferdinand* out of the Realme, so as he had neither time nor opportunity, or occasion to exercise such cruelty, whereby he should deserve to forfeit his title to the Crown, or be condemned for breaking his Oath to the States. And therefore the Count *Palatines* pretences were insufficient and goutie; and to say truely, *Camerarius* and his *Camerado* did but venish over the colours (slovenly laid) of those tumults of *Bohemia*, and did build their Paradoxes upon weake and sandy grounds. And therefore I conclude all with the Authority of learned *Rochester*, lib. de potestate *Papa* in temporalibus, who settis this down as certaine as one of *Euclides Elements*, pag. 639. *Non potest Apostolus Christianos eximere à subjectione de jure naturali debitâ, aut Regem quemquam privare jure suo cum gratia non destruit naturam, & cum Regnum in naturâ, Evangelium in gratiâ fundatur; sicut Evangelium non dat Regnum, sic nec auferre potest: And therefore he exclaimeth: Totâ hac ratio seditiosa est, & proditoria: multitudini frena laxat, & Rebellioni viam pernit.* And in the same opinion was Doctor *Bilson* in his book of Obedience, and Doctor *Morton*.

Now touching the *Directors*, who were the principall persons and agents in this Election, two things are to be considered.

First, the Originall.

Secondlie, what lawfull authority, and whose Commission they had for their warrant.

For their Originall, it had a beginning in this manner, when the Emperour *Mathias* languished at *Vienna*, by a long sicknesse, Count *Thurn* took advantage of the time, and conspiring with many of his Confederats, upon a suddaine, surprised the
Castle

Castle of *Prague* the Emperours Armory, and the Court, and in a rage they apprehended his Majesties Lieutenants and Cheife Officers of the Realme, the President *Slavata*, *Metahansky* Marshall of the kingdom, and Secretary *Fabricius*, whom they cast headlong out of a window forty cubitts high from the ground; who yet miraculously were preserved, and afterwards they Hollandized bravely; for they took the Scepter and Crown of *Bohemia* into their own hands: and to make good their tumultuous proceedings, they leaved an Army, and took upon them to create new Magistrats (whom they called *Directors*) to govern the State, and to excuse themselves of these insolencies, they writ their Letters to King *Mathias* dated the 27. of *March* 1618. and alleadge a few poore reasons to excuse and shaddow their proceedings. First, that the President and the rest were enemies to the State, and sought to disturbe the peace of the Realme, and also, whereas King *Rodolphus* granted them free exercise of their Religion (which, say they, was confirmed by your Majestie) that these men purposed to deprive us of the benefit of these your grants, and therefore, said they, we were forced for our defence, to enter into league against them: so they oppressed the Magistrats before they sensibly felt the smart of persecution; and to prevent a thing only purposed (as they gave out) they really & actually rebelled. But this was only a cunning shift: for they practised to draw the Provinces of *Moravia*, *Silesia* and *Lusatia* to joyne with them, and not content to keep themselves within the limits of *Bohemia*, they did rise a degree of mischief higher, and solicited the upper *Austria* (the Emperours own inheritance, and no way subject to their Directorship) to runn the like desperate course with them, as if their end and scope had been to set all the Empire in combustion, and to have a King and a Religion of their own Edition.

Although these excesses of disorder were inexcusable to be offered to the Emperour (whom in their own Letters they acknowledge to be *a Deo sibi praestitum Regem & Dominum, ac Magistratum clementissimum*) yet King *Mathias* with great mildnesse and clemencie sought to pacifie rather then to provoke their furies: and therefore on the 6. of *June* 1618. he answered their Letters thus: That it did not become Subjects to take Armes against his Lieutenants (though they had offended before they did complaine of their injuries received, and sought redresse by order of Justice: For he protested he never intended to abrogate or suspend their priviledges, or revoke his letters of tolleration, and therefore they did him injurie without better grounds to forge such slanders against his Governour. And further he promised to compound all quarrells, and ease their greivances by a moderate course of commission. Lastly seeing there appeared no enemies in *Bohemia* to molest and persecute them, he advised them to dismisse their Armies, and levie no more forces, and he assured them reciprocally he would dismisse his Souldiers, *cui causam* (said he) *dederat vestra conscriptio*, and for the better assurance he vouchsafed to write unto them againe the 18. of *June*, and a third time also to ratifie what he had graciouslie promised. To all which letters they never returned thanks nor answer, but like Salvages, marched to *Budvise* and *Comotonium* where they compelled the Magistrats to revolt from the Government of the Castle, and (which was a treason in the highest degree) they took *Carlestein*, where the Kings Crown and treasure were

were kept, they deposed the Burgrave, seized upon the Kings rents and revenues, and converted all to their own use, which was an Apish imitation of the union of *Utrecht*.

So here is Riott in the beginning, tumult in the proceedings, and treason in all.

But now for the lawfull authority of the Directors, whence had they their lawfull vocation and commission? they took upon them an absolute power, more like *Tribuni plebis*, then Officers of the Crown, nay a more high power, to degrade a new King, and at their own pleasures to create such Magistrats as they liked, and to dispose at their pleasures the Crown and the kingdom: a power unknown in any orderly State, greater then the *Ephori* and *Hermosta* of the *Lacedemonians*, or the *Archontes* of *Athens*, or *Highstewards* of *England* (who notwithstanding were ordinary and lawfull Magistrats, and established by consent of the States) but these arrogate and usurpe a power to degrade old Kings, and create new (a transcendent prerogative which no wise State will admit, nor trust any subjects with such unlimited power,) and if they be not Magistrats, *Idolum nihil est* : and if they be Magistrats, I follow the Bishop of Rochesters judgment; *à superiore est potestas eorum, & ab eo solo destitui possunt, à quo instituuntur* ; Answer me then Categoricallic: were they chosen by the King or States generall? or were they his Lieutenants, or Regents in his absence, or *Procuratores Regni*? No such thing, no commission, no *durante beneplacito*, no authoritie appeareth, no power from those that had power and superioritie to grant it.

Neither were they chosen by the Kings and States of the Countrie, but by Assemblies of a faction, who contrary to order and Custome, presumed to usurpe Authoritie, and Domineere over the Countrie: The King is the head of the State, the Clergie a part of the State yet neither was the King, nor the Archbishop of *Pragu*, nor the Bishops of the Realme, the Chancellor, the President of the Councell, the Marshall, nor the principall Secretarie, nor the Burgrave, nor most of the Nobilitie present, either at the creation of their irregular Officers, or at the Election of the Palsgrave: All this was done by Count *Thurn*, and a few seditious persons, who had no power themselves to give such power to others, and could have no supream power, unlesse they would unking *Mathias*: which no man could do by Law, or order: for it is a false Paradox, that the States of any kingdom are above the Prince, and may bind his hands & depose him. And no man can demonstrate, that the States and Directors of *Bohemia* had ever power to depose one and Elect another Prince.

In *Denmark* and *Poland* (kingdoms meerelie Elective) yet the Kings Office is to assemble the States, as the Emperour doth at the Diets and the Danes also are bound to choose the Sonne of the last King, as they confessed themselves in their apologie 1523. And therefore they did Elect *Schioldus*, Sonne of that Monster, *Lothar* King of *Denmark*.

Moreover, where a Prince is Sovereign, no Subject can be partaker of his Sovereigntie, which is a qualitie not communicable, for it resideth in the union of a bodie politique, and if it be devided (without the Princes consent) it looseth the Sovereigntie.

An. 42. Hen. 3. certain Officers were elected, and appointed to see the performance

mance of orders set down by the Parliament, and to correct the transgressors thereof, and the Kings brethren, and the Barons did take their Oathes to see the same observed, yet that act had no force till the King consented.

1. Rich. 2. (as *Ranulphus Higdenſis* testiſieth) *constituti sunt ad gubernationem Regis & Regni, duo Episcopi, duo Barones, duo Baronetti, duo Baccalaurij milites cum uno Iurisconsulto*. Yet was this done becauſe of the Kings minoritie, and under the name and authoritie of the King.

The Cheif Justice of *Aragon* hath a large command, and the States claime a power, *Nos q̃ valemus tanto como vos, mas q̃ vos & c* but this holdeth not to underpropp the usurpation of the Directors and their Conventicles, for the Cheif Justice is an ancient and an ordinary Officer, established by Cuſtome and long continuance, and is allowed by the King, and is deposeable by him: as the King gives the Office, so may he take it away from him, as he did from *Didaco*.

And seeing all subordinate Magistrats have their Authoritie, *jure humano*, & *non potestate sua sed aliena*: And seeing these Directors of *Bohemia* were not chosen nor admitted by the whole State, but (which was worse) usurped an Authoritie *inconsulto Rege*, I may say of them truelie whom these usurpers elected, that which God himself said *Osee 8. Ipsi Regnant, & non ex me, Principes extiterunt, & non novi eos*.

And therefore I will conclude, that this Election of the Count Palatine was contrary to Law and reason, being made by Conspiratours (who usurped an authoritie which they lawfullie had not) and by private men and not by the King, nor Officers of the Realme, nor the Generall States.

And I the rather hold this opinion; becauſe King *James*, in his oration to the Parliament 1620. used these words, very judicallie, Kings and kingdoms were before Parliaments, the Parliament was never called for the purpose to meddle with complaints against the King, the Church, or State matters, but *ad consultandum de rebus arduis, Nos & Regnum nostrum concernentibus*; as the writ will informe you. I was never the cause, nor guiltie of the Election of my Sonne by the *Bohemians*, neither would I be content that any other King should dispute whether I am a lawfull King or no, and to tolle Crowns like *Tennis-balls*.

Besides if the Count Palatine had been elected in any shew of order, a maine defect yet lyeth as a block in his way: For the *Aur. Bulla cap. de confirmat. Regis Bohemie*, setteth down this clause, as an essentiall Axiome: *volentes ut quicumque in Regem Bohemorum Electus sit, accedat ad nos & successores nostros* (which *Frederick* did not) *sua à nobis Regalia accepturus*, (which he likewise never did) and it must be done *debito modo & solito*, to shew the use, Cuſtome and dutie. And to take away all cavills, he binds it with *à non obstantibus legibus municipalibus*, that the pretence of impostors, the name of liberties, and the title of *Vicarius Imperij* might have no place for excuse. And to prove the necessitie of his investiture. Read *Aur. Bulla cap. 2. art. Curia Nurembergh art. 7. & 8. Si quis autem Principum Electorum, aliufve, feudum à sacro tenens Imperio, supra & infra scriptas Imperiales constitutiones adimplere noluerit, aut iis contraire presumpserit, ex tunc ceteri Coelectores à suo ipsius deinceps consortia excludant*; And surely the Pallgrave had ill Councell, and as weak

weak a judgment, to seek to dispossesse the Emperour of his right and title, who was to give him the investiture of *Bohemia*, and by disorder to seek a Crown also, by men who had no power to give it: by which ambition came the ruine of that mightie Familie, who aspiring to a Crown it could not rightfullie challenge, lost that Crown which it had lawfully long possessed.

CHAP. 5. *Of the proscription of the Palsgrave.*

NOW I come to the maine point which the Puritans call the head of all these evils, the proscription of the Palsgrave; wherein we must examine whether it were done *de jure*, or injuriously, and whether there be just cause why the Father should vindicate the honour of his Sonne; the grounds of the proscription were too solid. For after the Assemblie at *Franckford* 1619. where, by the pluralitie of voices, *Ferdinand* was Elected (the Palsgrave not contradicting it) the Count *Palatine* took the Crown of *Bohemia* (as it were) from the head of the Emperour, he joyned with the Directors, begun this unfortunate tragedie made himself head of the union (the most dangerous that ever was contrived in *Germany*) consented to the invasion of the Lower *Austria*, and at *Retz* the States being assembled 2. August. 1620. *Fredericum Palatinum Dominum & Protectorem elegerunt.*

Besides he assisted all the malcontents of the State, and raised Armies for his defence, as if he had not been fullie satisfied with the Crown of *Bohemia*, except he had likewise dispossessed him of the Empire, and forced him to flye into *Spain* for succour, as it is evident by the Records of *Cancellaria Anhaltina*.

Nay the same Count *Palatine* in his Letters to the Duke of *Saxony*, confesseth that he took upon him the Crown of *Bohemia*: First, that the kingdom might not be longer restrained from the exercise of their Religion: Secondly, that they might enjoy their priviledges: Thirdly and chiefly, that the Election of the King of the *Romanes* might be in the power and choice of the Protestant Electors: faire Colours on a false ground: zeal to Religion out of Charity is made to break the peace of *Europe*, and to maintaine the liberties of *Bohemia*, he must needs violate the Laws and orders of the Empire, and to enlarge the Dignitie of the Secular Electors, he would tread upon all the Ecclesiasticall.

But to say more plainly, he scorned to hold the stirrup, while the House of *Austria* did mount and surmount him.

But to proceed; was their end only to releive *Bohemia*? no surely: For they solicited the revolt of *Hungaria*: they joyned with *Bethlem Gabor* the *Turke* vassall: and if you look well into the scope and intention of these correspondents, you shall see a *Medusæ* Head.

For what was their project? by the Rolls of *Cancellaria Anhaltina*, the union intended to give the Palsgrave for his share more then *Bohemia*, *Alsatia*, and a part of *Austria*, and to enlarge his Dominions with the spoiles of the Bishopprick of *Mentz* and *Spire*, the rest of the Correspondents purposed to share the fattest morrells of *Germany* amongst them. *Oneltsback* gaped for *Writzburg*, *Baden* thirsted

Red after *Bryſack*, and to oppreſſe the poore Count *Eberſtein*. *Anhalt* hoped to ſupply his prodigalities with *Brambergh*, and ſome elcheats in *Bohemia*, al of them reſolved by fire and ſword to extirpate *pie a pic*, the Papalty. And *Bleſſen* in his letters to P. *Anhalt* 27. November 1619, certiſieth him, *unitat in conventu Noriſo bellum decreviſſe in catholicas. Eccleſiaſt. invaſio*, pag. 67. *Cancellaria* was reſolved upon, and the deprecation alſo of *Tryer*, and the ſurprizing alſo of that Prince Electors country, and pag. 131 it was concluded *ut adverſe partis Provincia invadantur*.

Befides, as if they went to caſt the Empire in a pure mould, and refine the government, they deſigned to ſwallow up the houſe of *Auſtria*, whereupon that Atheiſt *Bethlehem Gabor* aſſured the great *Turke* by his letters, that the *Palatine* and *Brandenbergh* would not endure nor ſuffer the advancement of *Ferdinand*. And ſo did *Anhalt* write to *Danau* beſides to weaken *Auſtria*, the union agreed to aſſiſt *Gabor* to raviſh the crowne of *Hungaria* and poſſeſſe it.

Moreover *Anhalt* counſelled *Danau* by his letters 1619. to ſurprize a City which ſhould be worth thirty two millions.

I wil be breife, and omit infinite impieties, never was there any plot ſo prophane and graceleſſe as this one; ſelt: to ſet open the gates of chriſtendome to the *Turke*, and ſuffer him to march into the heart of it.

I will draw the curtaine and reveale the myſterie of iniquitie, to amaze their favorites, and make themſelves bluſh; for, undoubtedly to bring in the *Turke* to ſubdue the Emperour, is all one as to fight by *Mahomet* to expell Chriſt, yet ſo did *Gabor* certiſie the *Turke*, that all the Princes of the union, *Sultan: et toti nationi Mahometica, corde et animo, omnia officia fideliffimi praſtabunt*: and that ſhortly *Ferdinand* ſhould be forced to abandon *Germany*, and upon this monſter the *Palsgrave* ſo much relyed, as by his letters to him July 13. 1623. appeareth in their Chancerie, where he honoureth him with the name of Father and Goſſip, as if yet he hoped for a ſun-thine day by his interceſſion. And that theſe things may not be denied (becauſe they had not ſucceſſe) wherefore did Count *Thurne* (the Author of thoſe tumults) accompany *Gabors* embaffadour to the *Turke*? onely to crave ſuccour againſt the Emperour, and draw the Janifaries into his Country, 1622. wherefore did the *Palsgrave* in his proſperity at *Prague* receive a *Chaom* from the *Turke*, and after treaty with him diſpatched an Embaffadour to the Port? and wherefore did he afterward by his letters dated the twentieth three of July 1623. and directed to the confederate Provinces, adviſe them to conſider *de augendo legationis Turciae ſplendore*? And wherefore was *John* of *Coelen* lent to *Conſtantinople* by the union? Wherefore did Count *Hohenloe* often threaten that the *Turke* ſhould come in to vex their enemies? whereupon did *Gabor* ſolicite the *Grand-vizier* for aide to proſecute the warres of *Hungaria*? Whereupon did the *Turke* write his letters to the *Palsgrave*, and to the Prince of *Orange*, that he had given order for the aide they deſired, and exhorted them to take the field couragiouſly againſt their enemies meaning the houſe of *Auſtria*, &c.

They pretend that religion moved them to this, and eſteeme nothing for truth

truth but the word, and therefore let them heare *sic dicit Dominus, cap. Esay 30. v. a qui ambulatis, ut descendatis in Egyptum, et os meum interrogatis, sperantes auxilium in fortitudine Pharaonis et habentes fiduciam in umbra Egypti*, That is as he saith. *cap. 31. peribunt qui spe in Deum relicto, confugiant ad humanum auxilium*, what a blindness then was this to invite the Turke, for their ambitious pretences to march into the Empire, and sucke the blood of Christians that favoured the house of *Austria*. And therefore, upon so great and imminent dangers to the Church and State, the league was made by the catholike Princes at *Mulhoves* in *Turingia* 1620, for their necessary defence, against which the *Palatine* published an invective, and termed it a Councell of blood.

But to omit all these, who can by law defend or warrant the raising of such an army against the Emperour, in the Empire, as the *Palatine* had? or their confederations with *Yagendorffe*, *P. Anhalt*, *Onltzba h*, the Marquesse of *Auspack*, *Durlack*, *Baden*, and the Duke of *Wittenbergh*, besides the assistance of *Nurembergh*, *Frankfort*, and many imperiall townes? or the association with *Holland*, *Denmarke*, and the Duke of *Bullion*? or the large contributions which *Cogmandolo* setteth downe to have beene taxed upon each of them particularly from the yeare, 1608. to 1619. against the Emperour.

What Orator then can excuse the Count *Palatine*, extenuate his offence, or pleade against his proscription? specially seeing (which arrogate his offence) that hee still is content to usurp the title of *Bohemia*, and not to renounce it. Nay though the Duke of *Baviere* sent an herald to the *Bohemians*, they despised his letters, the Elector of *Saxony* dissuaded the States, exhorted and admonished them but *surdis cecinet*, they would listen to no pacification. The Emperour himselfe wrote his moniteriall letters unto them, but the *Palsgrave* too obstinately refused all, for a crowne is an infectious and tempting baite, and as men stung by scorpions which breed the infection, so nothing pleased *Phaeton* and his aspiring ambition, but to guide *currum solis*, rather desirous to dye then live lesse then a King.

Therefore the Emperour had just cause to proscribe him, and publish the *Bann*.

If you aske whether for the order of proceedings it were lawfully done, I answer, that the cause is already judged where the offence was committed, for in the Imperiall-diet at *Ratisbone* the Embassadors of the Duke of *Saxony*, and the *M. of Brandenbergh* (Electors) and *Lewis Landgrave* of *Hessen*, made this answer to the Emperours propositions, Anno 1624, that they condemned the hostilities of *Mansfield*, and the proceedings of the *Hollanders* at *Westphalia*, and so in their consciences that they condemned the practises and proceedings of the *Palsgrave*, and they acknowledged that the Emperour had cause to publish the *Bann*, because they would not give eare to the councell of the Electors, nor cease to assaile the Emperour in his owne territories, but still disturbe the peace of the Empire,

And the Ecclesiasticall Electors joyned with them, that all of them had deserved the *Bann*, both for the causes aforelaid, and for prosecuting the Emperours principal officers of *Bohemia*, and for soliciting the Turkes (enemies of Christ) to invade the west Empire, and put the whole State in danger and confusion.

So here is the Decree and Judgment of the Electors themselves, Peeres to the Vicarius Imperij, and his Iudges without appeal: And here is also a concurrence of the whole Diets, although Charles the fifth proscribed great John, Frederick and the Lautsgrave who never pleaded that in Barr, that they were not justly condemned because not by their Peers.

But let the Law it self determine the question. First, for his Dignitie, there is no doubt to be made by the feudall constitutions, for by *Aurea Bulla* it is forfeited, tit. 1. & 10. the which was made by *Carolus* the fourth Imper. *ex communi omnium ac singulorum Electorum & multorum S. Imperij Romani Principum, Comitum, Nobilium, ac fidelium concilio & consensu*. And by *Farinaccius* qu. 116. num. 72. and all Lawyers agree, that for rebellion they loose all Feud, old and new inheritance, and *expacto*, both Father and Sonne.

So *Gigas* l. 3. q. 4. *Hernia Farinaccius de crimine lese Maestatis* q. 116, num 80. *Molina* l. 4. c. 11. *Socinus* In. *consil.* 65. num 2. l. 3. *Et in hoc omnes convenire affirmant*. And *Gail.* l. 2. c. 13. num. 21. *de pace publica*. And *H. Rosentall* is confident in this opinion, that the Emperour cannot pardon the Sonnes, *l. de Feud. c. 10. concl.* 38. whereunto I cannot subscribe: But to put *Camerarius* by Law to silence. And *Gail.* overthroweth all their plots and practises, *l. 1. de pace publica cap. 5. in crimen lese Majestatis incidit, qui bellum in Imperio sine Caesaris licentia gerit, & movet*. In what State then standeth he that warreth against Caesar himself, and that for his own inheritance? And to put all out of Controversie, he yeeldeth this reason, *Quia usurpat sibi ea que sunt solius Principis, nam movere bellum ad solum Imperatorem perinet*. It is a marke of supremacie and an inseparable prerogative to Kings. Is *Vicarius Imperij* here excepted? No: for the same man, c. 1. l. 9. saith *conditio pacis publica omnes omnium ordinum status Imperij, majorum & minorum gentium, cujuscunque dignitatis personas aequè obligat*. And, that you might not imagine the Lawes of the Empire are made like spider-webbs, only to catch Flyes, and to be broken by great ones, he adds this clause, *licet sit contra potentiores promulgata*. Nay further, here that great Antiquarie, and a Protestant, *Goldastus* li. iit. 190. who cites this ancient Law, *Nemo inter Imperij fines, nil tum sollicitato, nisi de voluntate Ducis istius circuli: Curet q. fide iussione statuum, nihil se contra Casarem, Principes subditos, & clientes Imperij moliturum*.

But the Directors of *Bohemia* began this war against the Emperour *Mathias*, and the Palgrave and they continued it against *Ferdinand*.

And the said *Goldastus* relateth a decree made by the Emperour *Ludovicus Pius*, against the King of the *Romans* and his Confederates, as guilty of a high treason, for attempting against him and the State, for which cause the King was judged to loose his head.

And the like Iudgement was pronounced by *Otho* 1. against his Sonne *Ludolphus* King of the *Romanes*.

But I will conclude all with the Law of *Landt-Freiden*, made by *Maximilian* the first, *Pacem publicam armatâ manu violentibus, pœna proscriptionis, quam Ban-num Imperiale vocamus, irrogatur, sc. vita necisq.*

And so I leave this cause rather to be pittied, then disputed, if the offenders had not

not been too long Advocats of their own offences, and had not sought rather to exasperate the victor, then to pacifie him, till it was too late.

CHAP. 6. Of King James his not taking Armes to vindicate the honour of his Son proscribed.

HAVING thus curiously examined the grounds and causes of the Proscription of the Count *Palatine*, and how they stand in Law and conscience, without any partiality, neither taking affection to the one part (whom I know not) nor to the other (whom I pittie) but as the truth of the cause leadeth me, I aske this question: Why is King *James* accused for not taking armes to vindicate the honour of his Son so proscribed? And why should the King of *England* give over all treaties, and enter into war with *Spaine*, if the *Palatine* be not restored; being the King of *Spaine* neither did, nor could proscribe him but the Emperour? For *Spaine* (as your Majestie knoweth) hath no command in the Empire, nor title, nor Authoritie.

The Archduke *Albert* sent aide to King *Ferdinand* his nephew, with the consent of *Spaine*, to aide their Familie, and to revenge so intollerable injuries to the Emperour in a just cause: First the Count *Bucquoy*, and after Marquesse *Spinola* (great Commanders) marched thither, whereof the one with the Emperours forces dispossessed and ejected the *Palatine* out of *Bohemia*, the other invaded the *Palatinate* and took possession of it, An. 1620. and *Verdugo* and others his successors did hold it, aswell to weaken the Emperours competitor, to discomfort their partie, to force the *Palatine* to relinquish his title (for *arma tenenti omnia dat qui, iusta negat*) as also to ingage the same for a pawne, to satisfie the charges of so unjust a war, and to pay the penaltie of an offence so odious.

And there is no reason why the King of *Spaine* might not succour the Familie whereof he is the Root, seeing these lands were the proper possession of *Charles* the Fifth, And by him freely given to the family.

Neither did *Spaine* breake the treatie with *England*, an. 1604. in any article, by that support, and therefore they shall do well to let the saddle on the right horse, and accuse the Emperour for proscribing the *Palatine*, and the imperiall diet for ratifying the same, which no wise man will do. For it cannot bee honourable to justifie an unjust and condemned action, or seeke to take vengeance on the execution of justice on offenders, decreed by the generall consent of the whole Empire. And it was wisely said of King *James* in his oration to the Parliament *Quis me constituit iudicem inter vos?*

He were very well ill advised that would perswade the King to fight for the Church of *Bohemia*, and undertake to preserve Gods children in *France*, (as they call them) by the sword. For, as that worthy *Iohannis Roffensis* said lib. de potest. Papae. 20. *Quis tribunal, illud erexit in terris, in quo Rex de Rege, par de pari iudicet? Index alterius Regis nemo Rex conditus est, et rempubl. in rempublicam concitant.* I know King *James* was *defensor fidei*; but in his owne circle and limne it; *intra quatuor maria*: for Kings like plannets have their proper spheres and bounds

of authority, in which they move *proprio motu*, and may not extend their prerogative of dignitie into places where it hath no jurisdiction or influence, but by intercession and graces.

But *Spaine* hath abused us (they say) with hopes and promises given, and not performes, for they keepe yet the Palatinate: what do they infer upon this? to trust no more your enemies, but give over all treaties with them.

We expect (saith *Tom. T. T.*) to see an armie raised as well as subsidies, and that the King would really and royally ingage himselfe in the right waie.

Touching the first, the *Spaniard* can restore no more then he hath, and for that it is fit *Don Carolo* be heard, who is a man of integritie and plain dealing, the *Infanta* hath ever had a princely compassion of my Ladies grace, the Countesse Palatine: and all her Councell can witnesse how really she did mediate, that the town in the Palatinate belonging to her dowrie, might by the *Spaniards* be preserved for her, and not suffered to fall into huksters hands, and though *C. Gondamore* hath beene much defamed in *England* for a juggler in this case, yet I have heard by wise men, that he imploied his friends, conferred sincerely with men of action, and imploiment, and used al means he could invent and contrive how to satisfie the King of *England*, but *ultra posse non est esse*. It is neither the fault nor the fallacie of *Spaine*, and for the restitution of the Palatinate, your Majestie well knoweth, and I think hath discovered that there is a knot in that businesse which onely the Duke of *Bavaria* can untie.

The Emperour cannot, except he would hazard to loose part of his owne inheritance, (the upper *Austria*) and what, if that cannot (during the Duke of *Baviers* life) be yet effected; will you breake of all treaties with *Spaine*, for a matter he cannot compasse, nor prevaile to effect? Will you make a perpetuall deadly feud with *Spaine*, because he cannot yet therein fully satisfie you? It is a cause neither charitable nor politique, for marke the reason and project of this silly states-man, pag. 13 your children (saith he) perhaps may have committed a fault, and though you thought good to purge them, yet to let them still drinke of affliction, you may be thought *justus sed crudelis pater*.

Well how should the King helpe his children, and shew his royall wisedome as well as naturall affection, and regard the kingdome, as well as his cradle? A secret treasure (saith he) lies hid in your peoples hearts, wee will contribute more to redeeme the credit of our nation, then to regaine the *Palatinate*, men and mony are the engines of war, send forces that shal be able to make their way thither.

Mark I humbly pray your Majestie, how ignorance roveh and looseeth it selfe, and yet he saith as much as any other can object. If you aske him, shall they march into the *Palatinate*? No saith he; there is great difficulty to get thither, the *Palatinate* is ill seated for us to warre in, being remote from the sea, and surrounded with enemies, and the protestant league is beheaded (which should have succoured you) and therefore he resolveth that you must not confirm the action to the bare *Palatinate*; for so it will never have an end, but draw it selfe into such a circle of troubles, as wee may look twelve years hence to see two such armies keep one another at a bay in the *Palatinate*, as now they doe in the low Countries.

So by this his Argument, to recover the *Palatinate*, you must not march thither, For the reasons he wisely alleadgeth, for that it is out of your way. Is not this man in a labyrinth? for hee wisheth a thing whereof hee hath no hope, something hee would have done, but he knoweth not what, nor how, what then? *qua spe quo concilio*, would he proceed? heare a counterfeite *Hanniball* speak like a souldier: give the *Hollanders* your helping hand, and lend the *Palatine* an armie to dispose of as he shall see cause.

Consider well, first, that his plot is to relieve or revenge the *Palatine*, but not to recover the *Palatinate*.

I hope your prudence and providence is such, as you will be assured how they will imploy this army. For, if the *Hollanders* must tutor him, they will assaile *Flanders*, or some parts of the Empire, or invade *Spaine*, or the *Indies*, and your Majesty shall beare the name of the great *Nimrod*, have all the blame and malice of your neighbours, and yet the *Palatine* himselfe shall gaine nothing by these sharkers; who serve onely their owne turne by you both, and when you come to the account and reckoning for the charges, you shall finde neither honour, comfort, profit, thankfulness, nor reputation by dealing with them.

Nay, *Tom T. T.* in all his booke hath but one wise sentence, and that touching them; the Pedlers whom wee our selves set up for use, are become our masters in the East *Indies* and think themselves our fellowes.

It is now given out in *Holland*, that your Majestie meaneth not to make peace with *Spaine*, but to confirme the treaties made with the *Hollanders* at *Sonthampton* before the last journey to *Cales*, which report I cannot beleive, for your wisdom may foresee many dangers and inconveniences by it, it is neither for the benefit of your merchants, nor for the wealth of your Realme, nor the peace of *Europe*, nor your owne safetie. And I beleive *France* will finde in the end occasions to cast them off, for the *Gummarists* and the *Huganots* draw in one line, have suck't one nurse, and like no royaltie.

Forget not your *Amboyna*, and the imperious and cruell usage of our merchants in the east-Indies.

Forget not how scornfully they used Sir *William Morison* (your Fathers Admirall of the narrow seas) not without apparent contempt of your Majestie.

Forget not how they used your sea-men, and Fishers in *Greenland*.

And call to remembrance how unthankfully they used *Queene Elizabeth* (their Patrone and Protector) *Anno 1594*, when she sent Sir *Thomas Bodley* to demand the mony she had laied out for them.

And as if they hated Royaltie and the King himselfe, they cause and suffer to bee printed *Tom Tell-truth* and other malicious libells, and scandalous, to defame Majestie, and bring it into contempt, and secretly publish them in *Brabant* and *Flanders*.

Consider also how presumptuously they only use the fishing on your coasts without licence, and challenge it as a due to them, which the *French* never durst doe.

Besides you may discern clearly what insolency *Arma a semper militia* ever groweth

groweth unto, and I can witnesse how fallſely they dealt with the Earle of *Leiceſter* and my Lord *Willoughby*, who was forced to write an Apology for himſelfe againſt them.

And as for your glorious Father, I proteſt, for all his favours to them, (which were many and great) yet how ſhamefully they ſpake of him both living and dead, I cannot with modeſty relate.

Nay they have dared to ſheere the graſſe from under their feete, and laugh at his counsell; and therefore they have planted ſo many low-country-men in *England* to ſerve their turne, who robbed you, and transported all your gold thither, that the States might make their benefit of it, which your Starre-chamber can well witneſſe: and theſe men are yours externally, theirs in heart and affection, neither hath your Maieſty cauſe to repoſe too much truſt in them, for their Astrologer Dr. *Fink long* ſince foretold them of a Starre riſing out of the eaſt, which I perceive they long to ſee come into *England*, that they might adore him.

But to ſpeake freely and loyally, it would be cenſured by forraigne Princes, as a great weakneſſe in ſo wiſe a Prince to hazzard your owne ſafety, and the welfare of the Kingdome and the lives of your deareſt Subjects for a cauſe ſo deſperate.

And on the contrary part, to enter into amity and league with your ancient confederates, with *Spaine*, and all men of judgement, and impartiall, hold it moſt honourable and profitable.

Your leagues with the houſe of *Burgundy* were ever wont to be tyed with a ſure knot and inviolable, even by *Hen. 2. Rich. the 1. and Hen. 3.*

Edm. 1. beſtowed upon *Flanders* and *Brabant* great penſions, as it appeareth by the records of the Exchequer.

Edm. 3. loved no nation better, and ſo did they him.

So long as *Hen. 6.* preſerved amitye with the *Netherlands*, he prospered, and flouriſhed.

Yea (ſay the enemies of peace) but now the caſe is altered, *Burgundy* was then in mediocrity, now it is in extreames, for the King of *Spaine* is growne too great, too potent, and ſeekes to overſhadow his neighbours, and terrifie them with his titles of greatneſſe, as if *Jupiter* would raviſh *Europa*.

Theſe are vaine thunderbolts of fancie: for, the benefites which the Realme may reap by peace with *Spaine* (being well ſetled) are of farre more advantage then can any way be expected by joyning with *Holland*. For thereby you ſhall againe eſtabliſh commerce and traffique, ſet all trades on work in the Realme, enrich your merchants, advance your Staples, (which bee your Maieſties Indies) increaſe, or at leaſt continue your cuſtomes, and ſo ſtore and furniſh your Exchequer by peace, which the warres will continually exhaust and draw drie.

Moreover by this peace, you may better hold *Holland* in awe, and a little reſtrain their inſolency, by a *virtus unita*, and I ſee there is need to do ſo; if you wil bridle their headiniſſe, you muſt keep them between hope and feare, neither make them deſpaire of your aide, by entertraiuing their enemies, nor give them cauſe to preſume, by rejecting the amity of *Spaine*. And ſo holding them in ſuſpence, they will ſeek by all good offices to win you, for they know that *England* onely can curbe them,

them, and advance their enemy. And so a state alwaies living in Armes must be used, because they are more dangerous neighbours then all others, and want neither will, nor means to offend, and by necessity are forced to respect onely themselves, and to use all extreame shifts to uphold so broken and corrupt a state.

And for that argument of the greatnesse of *Spaine*, I say it is therefore the greater honour to *England*, to have so great a Prince to seeke and imbrace your amity.

Philip the third 1604. sent the great Constable of *Castile*, with an olive branch in his hand to seeke peace, bury all offences, and reconcile the two Kingdoms with a perfect *Amnestia*, here you see their greatnesse is no obstacle to amity, and the rather, because there never was till of late, betweene *England* and *Spaine* any nationall contention, nor any antipathy between the two crowns: but now there is; true, but *ab initio non fuit sic*: and cursed be he that would make variance continue perpetually betweene Kings and Realmes.

But that your Highnesse may know how great and entire the love and amity long continued betweene *Spaine*, *Portugall* and *England* hath been, the records shew, that Anno 36. Hen. 3. *Alphonfus* King of *Castile* made a league with *England* for him and his successors solemnly *contra omnes homines*, which he constantly observed. So as when the *French* solicited a truce betweene them, he denyed cessation of armes, and would hearken to no motions of a treaty, till King *Edw. 2.* did mediate for it, and the knot was so fast tyed betweene these two Realmes, that *Edw. 1.* did marrie *Elenor* the Kings sister, who proved a deare and loving wife unto him, and plausible to the whole Realme, in respect of which contract and marriage, King *Alphonfus* renounced and resigned to King *Edw.* all his right and title to *Aquitaine*.

And his love and amity still increased, for *John* Protectour of *Castile*, Anno 18. *Edw. 2.* sent a thousand horse, and ten thousand foote to aide the King of *England* against *France*, and so afterwards 18. *Edw. 3.* before he made his challenge and invaded *France*, King *Peter* of *Castile* agreed with King *Edw.* mutually the one to aid the other, and the same King made the like league with *Ferdinand* King of *Portugall*.

But of all others *John* of Gaunt Duke of *Lancaster*, by his actions, his marriage, and his titles, did incorporate in a perfect union these two crownes, as if nature had determined by an holy Sacrament inviolably to couple and linke together these three Kingdoms, and by an union of blood to confirme that amity (for of him all the Kings of *Spaine* and *Portugall* descended.)

Whereupon, after the civil waies in *Eng.* were ended (K. H. 7. a politick Prince) sought to match his Sonne Prince *Arthur* with the Lady *Katherine* of *Spaine*, that there might continue a perpetuall succession of consanguinitie between the two crownes, and therefore renewed the old league with *Philip* the first of *Austria*, anno 1505. the which continued warmly and faithfully untill the schisme and unkindnesse of *Hen. 8.* made some variance unfortunately betweene them.

But all this notwithstanding, they object that the like is not hereafter to be expected of *Spaine*, which by the union and access of *Austria*, *Portugall*, and both

the Indies cannot be contained in any circle, nor tyed by any pact to hold friendship with any Prince farther then he pleaseth.

These are the scar-crowes of *Amsterdam*, vaine and untrue, for *Maximilian* the Emperour after that great union, made a league with King *Hen. 8.* 1507. and held so good correspondency with him, that at *Turvey* he did his Maiesty the greatest honour that ever was done to *England*, to take a hundred crownes a day to serve under his standard, and he further promised King *Henry* to assist and aid him to take possession of the crowne of *France*.

Besides, *Carolus 5.* (on whom the greatnesse and glory of *Spaine* and *Austria* was most eminent and powerfull) did he not come to visit King *Henry* in *England*? did he not make the treaties of entercourse with him, *Anno 1515.* and 1520? did he not confirme their amity by the treaty of *Cambray* 1529? So as there was a reciprocal and inviolable friendship betweene them, till the Kings divorce from *Queene Katherine*, the disgrace of his Aunt, the schisme of *England*, and King *Henries* confederation with the *French King*, did much alien the Emperours heart from him: but it was no rooted hatred. For, notwithstanding all his supereminent of titles and Kingdomes, *Anno 1543.* they embraced one anothers friendship, and renewed it againe, *tractatu arctioris amicitiae*.

And lastly, King *Edw. 6.* being dead, the same *Charles 5.* (as if hee had foreseene how one of these crownes stood in neede of the other) married his legitimate son to *Queene Mary*, with such conditions as were most honourable and profitable. And after her death nothing but a quarrell of Religion, ambition, and faction broke the bond, which prudently, and out of his temperate disposition, King *Philip 3.* laboured to tie a new, and binde with a faster knot, if his Royall offer had beene as wisely accepted, as by the Count of *Villa Mediana* it was nobly tendred.

By all which appeareth their folly and vanity, that thinke there can be no peace made with *Spaine*, nor articles kept, nor faith nor fidelity observed.

But consider, who can oppose this peace with reason. The *Hollanders* will I doubt not, and they have meanes and spies in your Court, I dare not say in your Councell, as others here confidently affirme that know it: but their quarrell is *de capite*; for which they seeke their owne ends, not yours, and though some of your puritan Subjects will dare to contradict it, yet let traffique be heard, and consult with your merchants who can best tell where entercourse and commerce is to be for their most advantage.

And I am sorry that so religious a King, and so magnanimous as the King of *France*, for *privatum odium, & singulare commodum*, should lay any block in the way of peace, yet your highnesse knoweth that *France* hath their particular exceptions and piques against *Spaine*, which no way concerne *England*, and pretend what they will for your good, it is their owne they seeke, and keepe *Spaine* low, and draw dry their finances, but you shall shew to the world both great policy and vertue to glorifie your judgement, if you can keep them both your friends, albeit, *in duobus utilibus, utrum utilius*, your Majesty and Councell can best judge.

Therefore, I beseech your Majesty consider what inconveniences may happen to *England*, if either you should bee counselled to restore the *Palatine*, or revenge his quarrell;

quarrell in despite of justice, whom the law and justice have cast downe. For, *canis bonus*? it can be no honour to defend a mans errors, who might have said with *Albinus*; *Arma an. no capio*, let not a *non pu. aram* be laid to your charge. The Realme hath no such interest in the quarrell of Forreigners, but by alliance, and I should pity that Councillours weaknesse, who should advise your Highnesse to the contrary; for nothing is so neere and deare to a King as his Crowne, and *salus populi suprema lex est*, it is not your case, but by consequence and participation, and if you would attempt to restore or revenge him by indirect courses, how are you provided to performe it? *Vana est sine viribus ira*, and to breake with Spain, and doe the Palatine no good, is to damne England, undo your merchants, and blemish the honour of your judgement.

CHAP. 7. *Reasons why the Count Palatine is not to bee restored by Armes.*

ALL therefore (most gracious Prince) true policie, experience, and vertue to give you counsell, and consult whether that your attempt be honourable, faillible, and fit for a King of England.

Cicero at *Rome* (the best schoole of civill government) being asked his opinion in a case like to this, whether it were good for *Lentulus* and the common-wealth, to undertake the charge to restore *Ptolomy*, and put him in possession of his Kingdome, out of which he was ejected, he gave this advice, *lib. 1. epist. familia si exploratum tibi sit, posse te illius regni potiri non esse constandum: si dubium, non esse conandum* and why? *totius facti tui iudicium non tam ex concilio tuo, quam ex eventu homines esse facturos, si cecidisset ut volumus et optamus omnes te & sapienter et fortiter, si aliquid est offensum, eosdem illos te et cupide et temere fecisse dicturos*: apply this to your selfe, and you cannot erre, *Ptolomy* was a Prince depoyed, and to be restored by force of armes (who had cast himself into the protection of the *Romans*) and yet the danger, hazard, and uncertainty of that action did dissuade and discourage the whole state.

I will shew another president to guide your judgment, neerer to your case.

Christiern the second King of *Denmarke* was depoyed by his uncle *Fredericke*, and his owne subjects, his wife *Isabella* sister to *Charles* the 5th. as the *Palatines* wife is to your highnesse, and afterward hee was betrayed by *Cornelius Guldstein* (who promised him in *Fredericks* name security and capitulation) but notwithstanding he was taken and imprisoned many yeares: yet the Emperour his brother maintained her and her children very nobly, but though his cause was just, his title without question, his case lamentable, *Halsnia*, *Malbogia*, and both *Burgers* and *Peasants* seeking his restoration, and his cause depending in suite at *Spires*, where he was like to have judgement for him (as is manifest by the acts and records there) *Denmark contra Denmark in causa spolijs*, as *Melchior Goldastus* testifieth, yet for divers causes the Emperour resolved not to hazard himselfe and his people in a war so dangerous and unnecessary, and for a man of forlorne hope, and especially he himselfe being engaged in other occasions of more importance to

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ching his honour, and safety, hee neglected this, which though it were a crosse to his friends, yet for their good hee was not to neglect himselfe and his State.

But, if the practises of your predecessours may bee thought best to guide you, *Queene Isabell*, wife to King *Edw. 2.* flying to her brother the King of *France* for succour against the *Spencers* (the Kings minions:) the *French Kings* Councell advised him to give her money, and leave her to sollicite such friends as she could procure, but in no sort to appeare in the action, nor give commission to levie men against the King of England, for so he should give cause to renew the warre, and set *France* in an uproare and danger, which were a thing incommodious to himselfe, and inconvenient to the State: such was their warinesse and providence to preferre the peace, safety, and prosperity of their Country, farr above the respect of particular persons, not regarding the *Queene* his sister, so much as his crowne and safety. And afterwards, when *Sir Iohn Henault* Lord *Beaumont*, undertooke to restore her, both the heart of *Heynaule* and his cheife officers opposed it, as an enterprize of more courage then wile lome, and al though good successe made it seeme good, yet it was not so of it selfe, but by accident, for the *Queene* having strong partie in England, (as now the *Palatine* hath in *Germany*) the Barons sent over the Archbishop of *Canterbury* to assure her of their assistance, and besides she carried over into England with her *sol: morientem*, Prince *Edw.* the Kings sonne and heire.

It was lately objected to me, that the famous blacke Prince aided *Don Pedro* King of *Castile* against his Subjects who rebelled, and wrongfully expelled him: and therefore King *Charles* ought to doe the like for the aide of his sister.

I denie that he ought, and I say also, that the consequence is not good, for the Prince aided a lawfull King against rebels, you shall aide a usurper against a lawfull King and an Emperour, so in the cause there is odds. Besides, have you a blaeke Prince (the mirrour of all martiall Princes) to be employed in this expedition? Or have you in *Spaine* or *Ger.* such a *Rendez vous* to let in your Forces with facility, as he had in *Aquitaine*? And besides, you shall break a treaty of peace solemnly sworne, which the Princes did not; I adde also, that valiant *Candis* dissuaded the Prince from undertaking the action: you ought (saith he) to be content with the state you have, and not to pull upon you the malice of forreign Princes: but Prince *Edwards* owne reason why he undertook it, proveth strongly that your highnesse ought not to undertake the like for the *Palgrave*: for his argument was as heroi-call as himself, that he would attempt it for the right heir, who was dispossessed of his inheritance, by one who had no right to it, the which was a matter of honour, and such as the Kings son could not endure, because it was a bad president, and a wrong to the Royal state of all Monarchies, whereupon King *Edward 3.* his father gave his consent to the enterprize.

Now, if that argument were forcible to move him, then it is as strong to move you not to assist the *Palgrave*, either for his restoration or revenge, because hee dispossessed *K. Ferdinand* without any just title or claime, and only upon quirks and cavills.

Queene Elizabeth shewed more wisdome, and taught them a wiser lesson, rather to have protected religion and the country, then to usurp the crowne, and though

though for the safety of her owne estate she went too far) yet her colours were well died, and had a good gloss, although in the end she repented, and sought for peace (*Ann.* 1588.) when it was too late.

Lay this consideration to your heart before you strike up the drumme, and learne by other mens harmes to prevent your owne.

When *Queene Elizabeth* began to aide the low-country-men, I know she had 700 60. l. in her Exchequer, but before the 4 years of her raigne, shee was forced to sell her land, her people were taxed with subsidies, tenths, and privy-seals, above two Millions and 800 000. l. all which the realme lost, and shee gained nothing, no not sure and thankfull friends.

I wil. use no ominous predictions, nor tell you the Astrologicall prophecy of *Litenbergius*, who lived above 140. yeares before the battell of *Prague*.

I omit how that brave *P. Sebastian* King of *Portugal* ruined himselfe, and lost his K. by *iuvenile concilium*, by assisting a weak competitor against a strong adversary.

The world seeth that *Mansfield* and *Alberstate* are buried in oblivion, and without a tombe, and nothing prospereth that is undertaken to a perverse end, or without good ground of justice.

The magnanimous King of *Denmark* (albeit *Tycho Brahe* had long before given him faire warning, and a good caveat to looke to himselfe) yet for his friends sake he hath dangerously run upon a rocke, and hazarded his person, his estate, *Inland*, *Holst*, the lives of his Subjects, and his honour, by taking armes against the Emperour. First, by assisting *Halberstat*, and after revengeing the *Palatine*, I wonder that so great a Prince did not remember, that hee and his predecessours did hold *Dith. Marsh* in feodo of the Empire, ever since *Frederick* the Emperour, and also the Dutchy of *Holsten* (for the which solemnly by an Embassador *Pogge Wisch*, he did sweare homage and fealty to the Emperour) and yet, which was no small error, with his owne hands he did in contempt, cast into the conditions of peace offered unto him by the peaceable Emperour *Ferdinand*, for which hee may repent too late. But *Paulus Nagel* who promised him, mountains in his *Kallender*, hath deceived him as Doctor *Fink* did the *Hollanders*, and surely he is *felix quem facine aliena pericula cantum*. For it is a safe Councell that *Polibijs* gave, *non tantum presentia spectare, sed et futura prospicere, et quis exitus inde futurus sit*. And as *Niceas* advised *lib. 7. Thucid. temeritas superbiaque populorum iniusta bella susipientium, eos funditus perdit*. But *Claud. l. 11. annal. Taciti*, gave his friends this rule to rectifie all your judgements in this desperate case: *Princeps, quantum vis graviter offensus, prius securitati suae, quam vindictae consulat*. It is better to digest patiently some wrongs, then stirre to revenge them, and to keepe your owne estate securely guarded, before you seeke to damne others.

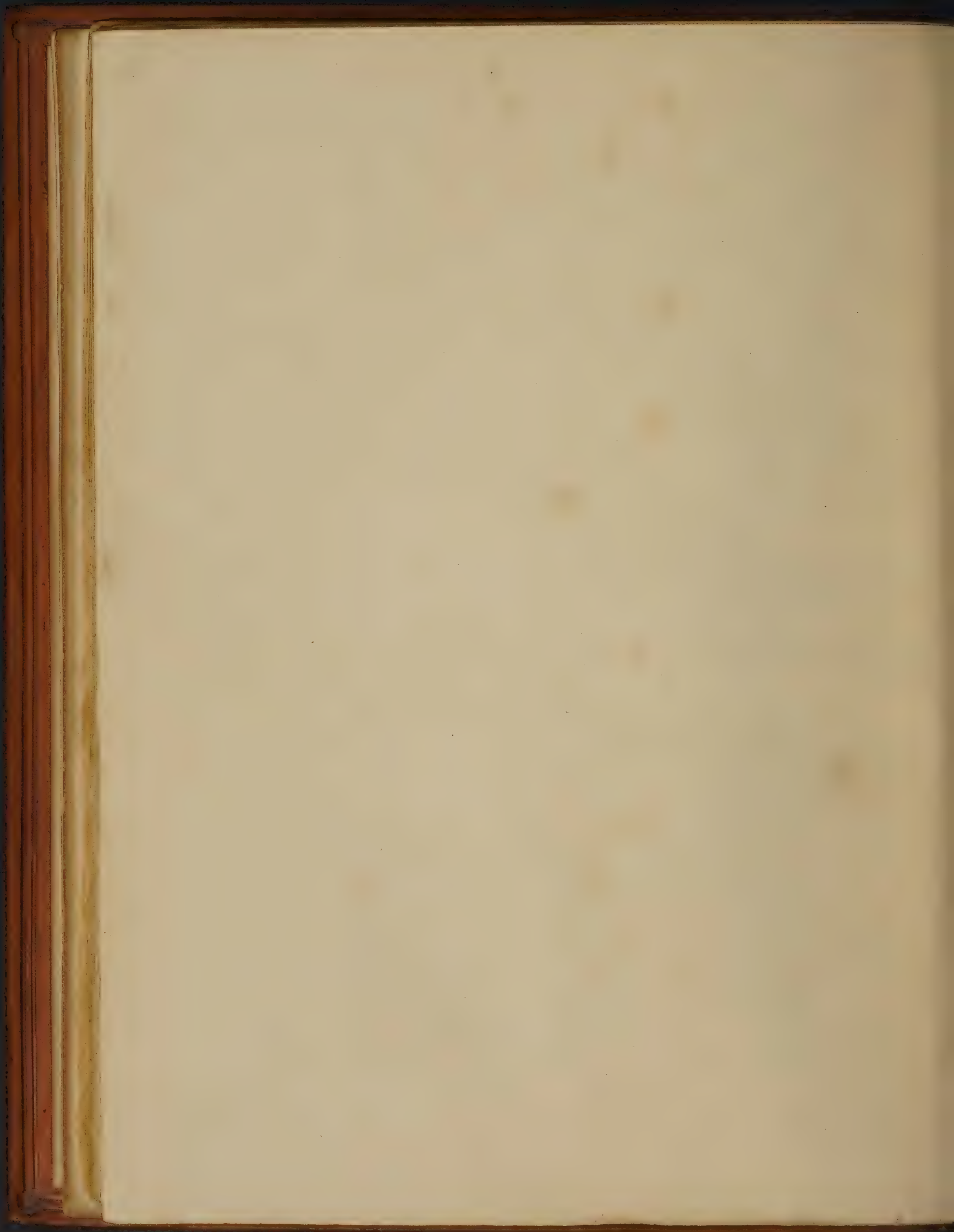
And to say truely, it is no policy in you to venture further in these actions then were fit, and it were grosse folly to hazard your owne Crowne to recover a Coronet for another (in a time of so dangerous practise.) And it is necessary to foresee, whether the *Palatine* being by force put into possession of his Country, the warre may so bee ended, and you may bee sure to live in peace, otherwise you shall enter into a labyrinth, and be entangled in a perpetuall incumbrance (which your father

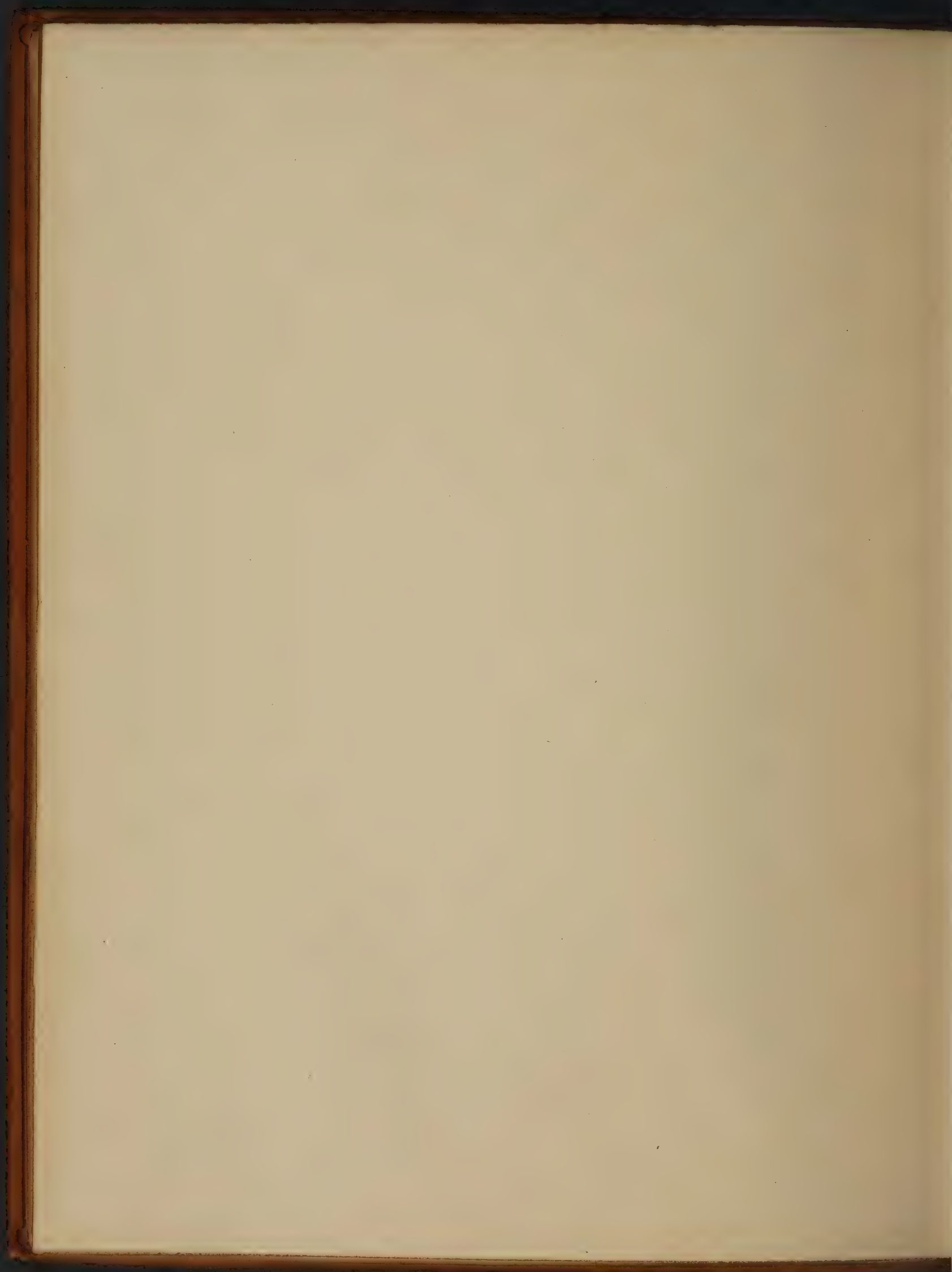
ther did wisely foresee) and if onely revenge must end the quarrell, and satisfie you who then shall judge when the quarrell is sufficiently taken.

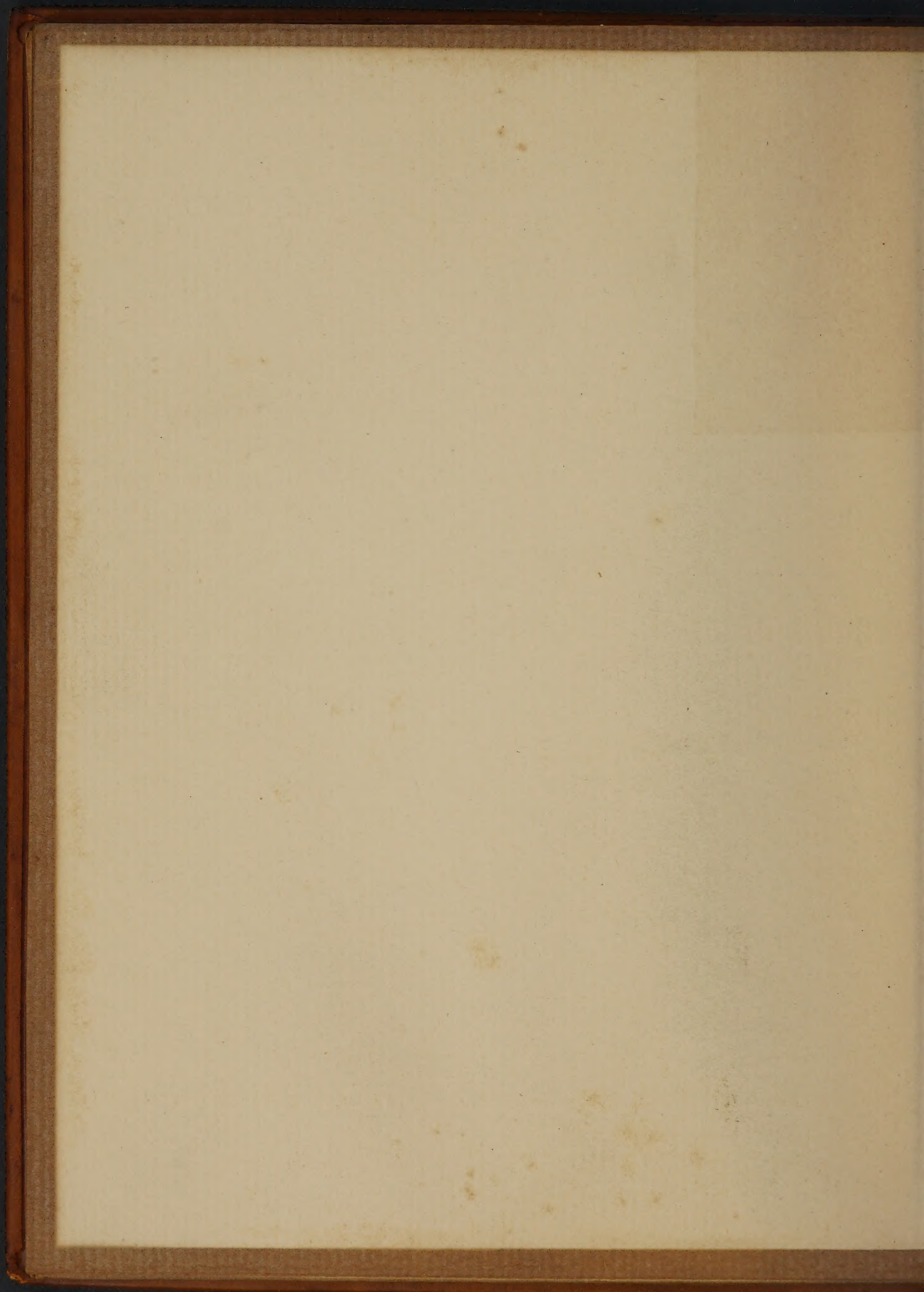
To conclude, for the love and reverence I beare you, I will not presume to counsell your highnesse, but to tell you the Councel of the state of *Corsica. lib. 1. Thucid. non est semper prudentia, velle cum alijs periclitari: sed ubi extra teli jactum et periculum tutus in aliorum discrimine, atque etiam post victoriam esse poteris*: But how much then more when there is doubt of the victory? I will put your Majesty in mind of true judicious counsellours: *Turpe est* (saith *Hermotinus in Thucid.*) *si qua res publica ut aliam uleiscatur acceptamque injuriam vindicet, ipsam majorem quam alias parat calamitatem incidit*. And how can you assure your state not to run this hazard? Let them not abuse you, and presse you with your honour, for *quicquid ex aequitate et justitia faciendum est licet sepe non ex dignitate reipub. fieri videatur, ut bellum et calamitas imminens evitetur*. Remember that the Parli. of England advised *Rich. 2* to do homage for *Calice* and *Guyen*, rather then to enter into war. And the most glorious and fortunate Prince *Edw. 3.* told the Parliament, anno 25. that to avoid the effusion of blood, hee was content to disclaime all the right and interest he had in the crowne of *France*, quietly and peaceably to enjoy his owne: *chart. original. de renunciat in thesaur.* If this King (so great and victorious, and fortified with an issue borne to inherite fame) was desirous to imbrace peace upon termes of inequality, and disadvantage, though it concerned both the prosperity of the Realme, and his own honour. Hath your Majesty reason to precipitate your selfe and your Kingdome into an unnecessary war, to endanger the state, and prodigally spend your treasure; and that which is dearer, the lives of your Subjects, for revenge of a quarrell ill begun, and now in desperate termes? A wise Prince will measure his undertakings by his power, and great attempts need the directions of great judgments. Forget not I pray you that *Hen. 3.* was driven to pawn his robes, jewels, and gold of *St. Edwards Shrine*, and *Edward 3.* mortgaged the crowne imperiall to *Sir John Wisenham*, a merchant, *invadavit magnam coronam Anglie*, for mony to supply him (saith record.) Therefore without urgent cause, be not by any giddy counsell drawn hereafter to doe injuries to your neighbours, or any more to invade *Cales* or *Retz*. *Hannibal* invaded *Italy*, and thereupon came the losse of *Carthage*. King *John* of *France* invaded *Aquitaine*, and was led captive to England. If by invading, then first, the King of *Spaine*, and the Emperor should invade you (which God forbid) how can the ill Counsellours that misled you, satisfie the Realme, and cleare your honour? or how can they with conscience answer posterity for so much blood of their progenitors shed by reason of their folly.

Therefore this is my humble supplication and suite to your Majesty, that your self would be pleased to peruse and ponder these few lines, and to bee perswaded that nothing moveth me to this scribbling presumption, but my owne fidelity, and the love of some of your servants here that pray for your happinesse. Protesting and taking God to witness that I write by no instruction of Forreigners, nor for no pension, nor obligation to any forreigne Prince whatsoever; but this *Hanc animam concede mihi, ut cetera sunt.*

FINIS.







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